

1 Joseph R. Ganley (5643)
Patricia Lee (8287)
2 HUTCHISON & STEFFEN, LLC
10080 West Alta Drive, Suite 200
3 Las Vegas, NV 89145
Tel: (702) 385-2500
4 Fax: (702) 385-2086
jganley@hutchlegal.com
5 plce@hutchlegal.com

6 *Attorneys for Kiarash Mirkia*
7 *and Poupak Ziaei*

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 ALLSTATE PROPERTY CASUALTY
INSURANCE COMPANY, an Illinois
11 corporation,

12 Plaintiff,

13 v.

14 KIARASH MIRKIA, an individual. POUPAK
15 ZIAEI, an individual,

16 Defendants.

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18 KIARASH MIRKIA, an individual. POUPAK
19 ZIAEI, an individual,

20 Counterclaimants,

21 v.

22 ALLSTATE PROPERTY CASUALTY
INSURANCE COMPANY, an Illinois
23 corporation.

24 Counterdefendant.
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Case No. 2:12-cv-01288-RCJ-PAL

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO SUBMIT
EXPERT REBUTTAL REPORTS
AND DEPOSE EXPERTS**

(Third Request)

1 KIARASH MIRKIA, an individual. POUPAK
2 ZIAEI, an individual,

3 Third-Party Plaintiffs,

4 v.

5 WALID KHURAIBET, an individual.
6 LEGACY AGENCY, LLC, a Nevada
corporation,

7 Third-Party Defendants.
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10 Plaintiff/Counterdefendant Allstate Property and Casualty Insurance Company, Third-
11 Party Defendants, Walid Khuraibet and Legacy Agency, LLC, and
12 Defendants/Counterclaimants/Third-Party Plaintiffs Kiarash Mirkia and Poupak Ziaei, by and
13 through their respective counsel, hereby stipulate and agree to extend the expert rebuttal
14 deadline until September 19, 2013, and the deadline for conducting expert depositions until
15 September 26, 2013. All other discovery will be completed before the current September 12,
16 2013 discovery cutoff. This is the third request for an enlargement of the discovery period. The
17 parties respectfully submit this proposed extension for discovery pursuant to LR 6-2 and
18 LR 26-4.

19 **1. Completed Discovery**

20 The parties have almost completed discovery to this date. Initial disclosures have been
21 completed. Plaintiff has propounded Requests for Admissions, Interrogatories, and two
22 Requests for Production of Documents on Defendants. Defendants have propounded
23 Interrogatories and Requests for Production of Documents on Third-Party Defendants, and have
24 propounded Interrogatories and Requests for Production of Documents on Plaintiff Allstate.
25 Experts have been disclosed for all parties, and initial expert disclosures and reports have been
26 completed. The depositions of Dr. Mirkia and Dr. Ziaei have already been completed. The
27 deposition of Allstate's PMK, Michelle Bolton, has already gone forward. Several other persons
28 have already been deposed, including Joe Yakubik, Ronnell Curtis, and John Curtis. The parties

1 have issued several third-party subpoenas to Chubb Corporation, the Nevada Department of
2 Insurance, Culture-Care, and the Las Vegas Metro Police Department.

3 **2. Outstanding Discovery**

4 The depositions of both experts are still outstanding, as are the expert rebuttal reports.
5 Several additional depositions, including Walid Khuraibet, Laurie Yakubik, the remaining PMK
6 for Allstate, and others are all scheduled to occur before the September 12, 2013 discovery
7 cutoff.

8 **3. Why Discovery Will Not Be Completed**

9 Discovery will not be finished by the discovery cutoff date because experts for both
10 parties will need to review all of the other completed discovery before submitting their rebuttal
11 reports. Additionally, there was a disagreement between the parties regarding production of
12 documents that were previously marked as privileged, however, were relied upon by Plaintiff's
13 expert in his report. The parties have resolved the dispute, and the documents have been
14 produced. The parties have attempted in good faith to complete the discovery before September
15 12, 2013, however, several witnesses have been unavailable due to being out of the state or out
16 of the country, thus delaying the discovery process. Subsequent to the completion of the expert
17 rebuttals, the parties will take depositions of the experts.

18 **4. Proposed Schedule**

19 The only discovery to be conducted after the current September 12, 2013 discovery
20 cutoff is the expert rebuttal reports and the expert depositions. The parties stipulate and propose
21 that the deadline for submitting expert rebuttal reports be extended to September 19, 2013, and
22 the deadline for deposing the experts be extended to September 26, 2013.

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1 The parties are confident that all discovery will be completed by September 26, 2013.

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3 DATED this 21st day of August, 2013.

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5 HUTCHISON & STEFFEN, LLC

MCCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH, LLP

6
7 /s/ Patricia Lee

/s/ Philip A. John

8 Joseph R. Ganley, Esq.
9 Nevada Bar No. 5643
10 Patricia Lee, Esq.
11 Nevada Bar No. 8287
12 10080 West Alta Drive, Suite 200
13 Las Vegas, NV 89145

Gordon M. Park, Esq.
Nevada Bar No. 7124
Philip A. John, Esq.
Nevada Bar No. 10627
8337 West Sunset Road, Suite 350
Las Vegas, NV 89113

14 *Attorneys for defendants*
15 *Kiarash Mirkia and Poupak Ziaei*

*Attorneys for plaintiff Allstate Property and
Casualty Insurance Company, and Third-
Party Defendants Walid Khuraibet and
Legacy Agency, LLC*

16 IT IS SO ORDERED:

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UNITED STATES MAGISTRATE JUDGE

18 DATED: August 23, 2013
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HUTCHISON & STEFFEN

A PROFESSIONAL LLC

PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145